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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 United States of America,
10 Plaintiff,

11 v.

12 Jhoanna Vargas-Quintana,
13 Defendant.
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No. CR-17-01165-003-PHX-SMB

ORDER

15 Pending before the Court is Defendant Jhoanna Vargas-Quintana's Motion to
16 Substitute Counsel. (Doc. 213.) Defendant informs the Court that she is aware that the
17 Court has denied her request for compassionate release, but has been unable to reach her
18 attorney to learn the substance of the Court's reasoning or to inquire about her right to
19 appeal the decision. (*Id.*) Because of this, she has moved the Court to substitute new
20 counsel to represent her in this case and requested information regarding the details of this
21 Court's decision. (*Id.*) Shortly after the filing of this Motion; Defendant's current attorney
22 noted her appeal of the Court's decision to the Ninth Circuit. (Doc. 215.) That appeal is
23 currently ongoing. *See e.g. United States of America v. Johanna Vargas-Quintana*, No. 20-
24 10424 (9th Cir. Mar. 04, 2021) (requiring Ms. Vargas-Quintana's opening brief on appeal
25 be submitted by April 30, 2021). In light of the above Defendant's request to substitute her
26 counsel is denied.

27 However, the Court notes that while Defendant's counsel is pursuing her appeal,
28 Defendant's Motion asserts she has not yet received any communication from her counsel

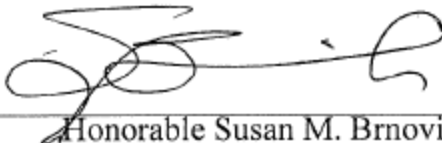
1 explaining the basis of this Court's original decision denying her request for compassionate
2 release or keeping her apace of the appeals process. As such, Defendant's counsel is
3 directed to mail Defendant a copy of this Court's previous ruling denying her request for
4 compassionate release. (Doc. 212.)

5 Accordingly,

6 **IT IS ORDERED** that Defendant's motion to substitute counsel is **denied**.

7 **IT IS FURTHER ORDERED** that Defendant's counsel mail his client a copy of
8 this Court's previous order denying her request for compassionate release, (Doc. 212.), or
9 notify the Court as to his inability to take such action by no later than April 13, 2021.

10 Dated this 8th day of April, 2021.

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15 Honorable Susan M. Brnovich
16 United States District Judge
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